

March 1, 2017

VIA HAND DELIVERY AND ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

RE: Request for Confidential Treatment
Amendment to Application of Purple Communications, Inc. for Full Certification to
Provide Video Relay Service; CG Docket Nos. 03-123 and 10-51

Dear Ms. Dortch:

On September 30, 2016, Purple Communications, Inc. (“Purple”) submitted to the Federal Communications Commission (“Commission”) an application (the “Application”) for a full certification to provide Video Relay Service (“VRS”) that is eligible for compensation from the Interstate Telecommunications Relay Service Fund (“TRS Fund”).¹ Pursuant to Section 1.65 of the Commission’s rules, Purple is filing the enclosed amendment to the Application in order to advise the Commission of certain updates to the information supplied in the Application.

For the reasons stated in the Application, and pursuant to 47 C.F.R. §§ 0.457, 0.459, Purple requests that the Commission provide confidential treatment for the company-specific, highly sensitive and proprietary commercial information in the exhibits attached to the Application and withhold that information from public inspection. The confidential information has been redacted from the version electronically filed with the Commission. In addition, the confidential information constitutes highly sensitive commercial information that falls within Exemption 4 of the Freedom of Information Act (“FOIA”).

In accordance with the Commission’s rules,² attached are one original and four copies of the amendment. A redacted version for public inspection is being electronically filed via the Commission’s Electronic Comment Filing System.

¹ Purple is currently providing VRS pursuant to a conditional certification. *See Notice of Conditional Grant of Application of Purple Communications, Inc. for Recertification as a Provider of Video Relay and Internet Protocol Relay Service Eligible for Compensation from the Interstate Telecommunications Relay Service (TRS) Fund*, Public Notice, CG Docket No. 10-51, DA 12-4 (CGB 2012).

² *See* 47 C.F.R. §§ 0.457, 0.459, 1.419.

In support of this request and pursuant to Section 0.459(b) of the Commission's rules, Purple hereby states as follows:

1. Identification of the specific information for which confidential treatment is sought.

Purple requests confidential treatment with respect to the confidential information redacted from the version filed electronically with the Commission.

2. Identification of the circumstance giving rise to the submission.

Purple is amending its Application for full certification as a VRS provider, in accordance with 47 C.F.R. §§ 1.65, 64.606. The amended Application includes updated corporate proprietary information per the requirements of 47 C.F.R. § 64.606.

3. Explanation of the degree to which the information is commercial or financial or contains a trade secret or is privileged.

The confidential information in the attached amendment to the Application is highly sensitive commercial information specific to the operations and strategies of Purple. This information is generally safeguarded from competitors and is not made available to the public.

4. Explanation of the degree to which the information concerns a service that is subject to competition.

The confidential information involves VRS, a nationwide competitive service.

5. Explanation of how disclosure of the information could result in substantial competitive harm.

Disclosure of the redacted information could cause substantial competitive harm to Purple, because it would provide competitors insight into confidential operational and strategy information, including the company's critical infrastructure, that would not otherwise be available, which would work to Purple's severe competitive disadvantage.

6. Identification of any measures taken to prevent unauthorized disclosure.

Purple routinely treats the redacted information as highly confidential and exercises significant care to ensure that such information is not disclosed to its competitors or the public.

7. Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties.

Purple does not make the redacted information available to the public, and this information has not been previously disclosed to third parties, except where required by the Commission and the TRS Fund Administrator, each of whom protect the confidentiality of such submissions.

8. Justification of the period during which the submitting party asserts that the material should not be available for public disclosure.

Purple requests that the redacted information be treated as being confidential on an indefinite basis as it cannot identify a date certain on which this information could be disclosed without causing competitive harm to Purple.

If a request is submitted for disclosure of this information, please provide sufficient notice to the undersigned to allow Purple to take appropriate steps to safeguard the confidentiality of the information. In addition, should this request for confidentiality be denied, Purple requests that this information be returned by the Commission without consideration.

Respectfully submitted,

/s/ Lydia Yomogida
Lydia Yomogida
Senior Manager Legal and Compliance
Director
Purple Communications, Inc.
595 Menlo Drive
Rocklin, CA 95765

cc: Eliot Greenwald, Deputy Chief, Disability Rights Office, Consumer and Governmental
Affairs Bureau
TRSreports@fcc.gov

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals)	
With Hearing and Speech Disabilities)	
)	
Structure and Practices of the)	CG Docket No. 10-51
Video Relay Service Program)	

**AMENDMENT TO APPLICATION OF PURPLE COMMUNICATIONS, INC. FOR
FULL CERTIFICATION TO PROVIDE VIDEO RELAY SERVICE**

Pursuant to Section 1.65 of the Commission’s rules,¹ Purple Communications, Inc. (“Purple”), as indirectly majority-owned and controlled by Kinderhook Capital Fund IV, L.P. and its affiliate Kinderhook Capital Fund IV-B, L.P., both of which are advised by Kinderhook Industries, LLC (collectively referred to herein as “Kinderhook”), hereby submits this amendment to the pending and unopposed application (the “Application”) filed on September 30, 2016 seeking full certification for Purple to provide Video Relay Service (“VRS”) that is eligible for compensation from the Interstate Telecommunication Relay Service Fund (“TRS Fund”).²

¹ 47 C.F.R. § 1.65.

² See Purple Communications, Inc., Internet-Based TRS Certification Application, CG Docket No. 10-51 (filed Sep. 30, 2016). Purple is currently providing VRS pursuant to a conditional certification. See *Notice of Conditional Grant of Application of Purple Communications, Inc. for Recertification as a Provider of Video Relay and Internet Protocol Relay Service Eligible for Compensation from the Interstate Telecommunications Relay Service (TRS) Fund*, Public Notice, CG Docket No. 10-51, DA 12-4 (CGB 2012). Contemporaneously with this amendment, Purple is filing with the Federal Communications Commission a notice of substantive change, in accordance with § 64.606(f) and the *iTRS Certification Order*, regarding the change in ownership effectuated by Kinderhook’s acquisition of an indirect majority interest in Purple. See Purple Communications, Inc., Notice of Substantive Change, CG Docket Nos. 03-123, 10-51 (filed Mar. 1, 2017); see also 47 C.F.R. § 64.606(f); *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Order, 26 FCC Rcd 10898, 10918, at para. 47 (2011) (“*iTRS Certification Order*”).

Specifically, Purple is submitting a revised Exhibit 1, which provides an updated description of Purple’s organizational structure and identifies those individuals or entities that hold at least a 10 percent equity interest in Purple, have the power to vote 10 percent or more of the securities of Purple, or exercise *de jure* or *de facto* control over Purple following the consummation of a recent transaction pursuant to which Kinderhook acquired ultimate indirect majority control of Purple and certain investors obtained an indirect minority equity interest in Purple.³ Exhibit 1 also provides an updated list of the names of Purple’s executives and officers and the members of its board of directors.⁴

In addition, Purple has attached a revised Exhibit 2 which provides an updated list of the number of full-time and part-time Purple employees involved in Purple’s TRS operations, categorized by the following positions: the executives and officers; video phone installers; CAs; and persons involved in marketing and sponsorship activities. .⁵(It’s “Other”)

³ *Id.* § 64.606(a)(2)(ii)(B).

⁴ *Id.*

⁵ *Id.* § 64.606(a)(2)(ii)(C).

Under its new ownership, Purple is committed to providing the highest quality service and a variety of innovative products that support the needs of relay consumers. For the reasons set forth in the Application, as amended herein, it is in the public interest to grant Purple, as indirectly majority-owned and controlled by Kinderhook, a full certification to receive direct compensation from the TRS Fund for the provision of VRS.

Respectfully submitted,

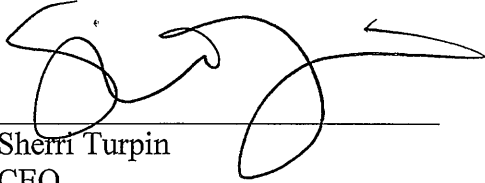
/s/ Lydia Yomogida

Lydia Yomogida
Senior Manager Legal and Compliance
Director
Purple Communications, Inc.
595 Menlo Drive
Rocklin, CA 95765

March 1, 2017

DECLARATION OF CORPORATE OFFICER

I swear under penalty of perjury that I am Sherri Turpin, CEO of ZVRS Holding Company, parent company of the above-named applicant; that I have examined the foregoing submissions; that all information required under the Commission's rules and orders has been provided and that all statements of fact, as well as all documentation contained in this submission, are true, accurate, and complete.

A handwritten signature in black ink, appearing to read 'Sherri Turpin', is written over a horizontal line.

Sherri Turpin
CEO
ZVRS Holding Company, parent company
of Purple Communications, Inc.

Date: March 1, 2017

EXHIBIT 1

Ownership, Executives, and Organizational Structure

[REDACTED]

EXHIBIT 2

Number of Purple Communications, Inc. Employees Involved in VRS Operations
[REDACTED]